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## THE FOUNDATIONS OF THE *CONFLIT DE LANGAGE* OVER LAND AND FORESTS IN SOUTHERN CAMEROON

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**ABSTRACT** When Germans colonized Cameroon in the nineteenth century, most of the ethnic groups living in the forest zone had already established territories. However, Germany then became the legal owner of land and forests. This brutal cohabitation of the new version of the state and customary systems of territorial management generated serious problems and has continued to this day in post-independence Cameroon. Among these problems, I focus on the *conflit de langage* (conflict of language or of discourse) between the state and local communities on land and forests ownership and on the regulation of access to natural resources. This article reconstructs the foundations of this *conflit de langage*, by revealing elements such as the exclusion of indigenous systems and the requirements of capitalist accumulation. The author explores various property rights formation processes and forestry legislations (German, British, French and post-independence). The article points out how the situation has worsened through the creation of forest concessions on customary lands, the creation of protected areas, the sharing of revenues from commercial logging, the establishment of agro-industries, and oil compensation.

**Key Words:** Territoriality; Colonial jurisdiction; Marginalization; Claims; *Conflit de langage*.

### INTRODUCTION

Our grandfathers used to tell us that they settled in this area before the Europeans. This land is therefore our land. German troops, headed by the Famous Major Dominiek, set up their camp at the bottom of this hill we call Nkolembonda. Natives stopped going there, because the invaders were not joking at all. Too many things are not known by present generations. Anyway, Frenchmen came after Germans and said that they were looking for iron on this land, before starting controlling it. Later, in the seventies, two large state owned agro-industrial plantations – the Société des Palmeraies du Cameroun (SOCAPALM) and the Hévéa du Cameroun (HEVECAM) – were created in this very land. Then followed by a logging company called Rouillon & Fils. When we want to know what's wrong, the authorities of this country reply that it is a state affair. How and why?

(In French, a statement by Jean Nnanga Nkon, a peasant of the village of Bidou III, coastal area of Cameroon, July 2001)

These words above can be seen as part of a permanent rhetoric developed since colonial times by local communities in the African continent. The rela-

tions between local communities and the state over land and forests – natural resources in general – are marked by procedures and devices rooted in the issue of property and access, and, thus, in issue of “the right to...” Numerous components of the theoretical body developed on the issue of property (Marx & Engels, 1971: 12-33; Locke, 1978: 5-18; Proudhon, 1993: 4-9) and on the issue of property relations (Alchian, 1965: 816-18; Demsetz, 1967: 47-50; Barzel, 1997: 3-16; Bromley, 2001: 2-3; etc.) highlight the importance of historical and institutional dynamics related to property formation, property rights and to access rights (Lund, 2002: 12-41; Kristin & Lund, 2002). For this reason, Bromley (1999: 10-26 & 46-63), Ribot (1998: 311-314), and Ribot & Peluso (2003: 154-156), for example, wrote on the necessity to make a careful conceptual analysis and a deep empirical examination of notions such as “the right over...” “the right to...” and “the capacity to...” related to a stock of resources, on the one hand, and those related to human societies and institutions, on the other (Field, 1984: 683-698; Lund, 2002: 12-41). In Southern Cameroon (Diaw, 1997: 5-19; Diaw, 2005; Oyono *et al.*, 2000: 13-16), issues of land and of forests are strongly rooted in these notions.

This article is conceptually located at the intersection of these legal and sociological notions. The article is an effort aiming at capturing, understanding, and explaining the *conflit de langage* (conflict of language) governing access to land and to forests in Southern Cameroon, in addition to some other domestic contributions (Mveng, 1984: 35-89; Mbembe, 1996: 10-96; Bigombé Logo, 1996: 130-134; Diaw & Njomkap, 1998: 12-32; Nguiffo, 2000: 2-3). By *conflit de langage*, I mean a discursive and narrative device, or process, or construction, of misunderstandings, shocks and disjunctions between two or more parties or stakeholders, in this case between the local communities and the state. Melucci

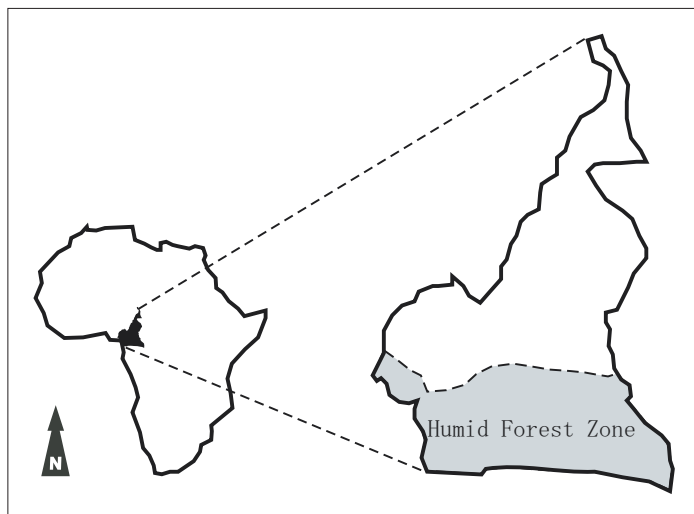


Fig. 1 The Humid Forest Zone of Cameroon

(1996: 22) for instance defined conflict as a fight between two actors for the appropriation of resources over which they both claim rights and powers. Lockwood (1956: 134-146) explained the permanence of conflicts in the public sphere by the existence of differential and asymmetrical rights/powers between individuals and/or groups of individuals, this in connection with the institutional arrangements governing resource redistribution. According to Simmel (Turner, 1991: 190), conflicts rest on a dualism. They are inclusive, on the one hand, for they seek to construct a synthesis, by for example the annihilation of one of the parties in conflict. They are also exclusive, because it is a matter of removing a 'illness', a harmful force, from the social body.

Thus, conflict could be understood in this article as a process of claims and verbal violence through ruptures and confrontations in the socio-political system and in the symbolic sphere (Peluso, 1992: 100-122; Watts, 2000: 24-39). The final phase of these ruptures and the accompanying events is made up of struggles (Turner, 1991: 191). In a post-structuralist perspective (Abbot, 1990: 140-145), this article is an attempt at interpreting the two types of discourse or the two conflicting types of *langage* over Cameroon's land and forests: that is, the protesting and reclaiming discourse of the indigenous communities and the authoritarian discourse of the state. I also endeavor to explain the major determinants of this *conflit de langage*, which are bipolar. There is a "rhetoric of contestation" (Rose, 1999: 280-283), here the claim of a territorial identity, historically established and developed by the indigenous communities, on the one hand. On the other, there is the legal device set up by the state, considered to be the "modern master" of the land and supported by domestic and global interests.

My contribution is on the whole based on the narrative approach, and description and analysis inspired by both natural resource sociology and political ecology. According to Abbot (1990: 140-150) and to Somers & Gibson (1994: 58-60), the narrative consists in capturing events and their significances in their temporal and spatial interrelations with others events.<sup>(1)</sup> This connection is very important in the understanding of the *conflit de langage* presented in this article question. The reference to natural resource sociology is justified because I tackle themes related to equity in access to resource, policy innovation, and social dynamics organized around natural resource management (Buttel, 1996: 57-59; Buttel, 2002: 206; Field *et al.*, 2002: 213-217). The reference to political ecology is justified because I tackle themes related to the violence of iniquity, the violent character of the colonial and the post-colonial state and the politics of resource (Peluso, 1992: 8-16; Watts, 2000: 21-51). I ultimately demonstrate that because the local communities cannot confront the state and multinationals at the legal level due to the asymmetry between the indigenous jurisdiction and the state jurisdiction, the only field of confrontation is on the whole the symbolic or discursive one.

## THE GENESIS OF TERRITORIALITY IN SOUTHERN CAMEROON

Africa's dense and humid forests were almost intact until recently, due to the lack of techniques and adequate tools to transform them significantly (Devineau & Guillaumet, 1992: 79-83; Iliffe, 1995: 6-18). The environmental history of Africa informs us that these forests have probably remained the same since 50,000 to 40,000 before J.C. (Kingdon, 1990: 10-15; Hamilton, 1992: 7; Wilkie, 1988: 112-114). In Cameroon, the peoples settled definitively in the forest amphitheater around the middle of the 18th century (Alexandre, 1965: 510-521; 49-67; Mveng, 1984: 13-16). When they settled,<sup>(2)</sup> these peoples created many territories and "countries". Sometimes, several ethnic or lineage groups met in the same geographical unit. In those cases, the question of subjacent promiscuity was regulated either peacefully by alliances, or through forceful evictions from the disputed spaces. Many authors (Laburthe-Tolra, 1981: 13-31; Mveng, 1984: 13-20; Mbembe, 1996: 52-56; Diaw & Njomkap, 1998: 5-7) put forward the fact that everywhere, new territorial recombinations emerged until the end of the territorial search and the formation of local territorial identities. With flexibility, territories were shaped and constituted by ethnic groups, or more adequately, in the sense of Melucci (1996: 150-155), by "ethnic-territorial groups". Diaw (1997: 4-15) focused on the interrelations between "*Si, Nda Bot and Ayong* (land, lineage and ethnicity)" and highlighted the importance of territorial identities in ethnic formation in Southern Cameroon.

Each of the ethnic-territorial groups of Southern Cameroon imposed its mark on its territory or its country, on the basis of recognized rights, institutions and norms of vicinity (Alexandre, 1965: 515-522). In this respect, and while recognizing the existence of other territories, each ethnic territorial group was the master of its own territory, according to its capacity to resist the incursions of invaders (Laburthe-Tolra, 1981: 13-31). Each ethnic territorial group had thus forged what Bigombé Logo (1996: 129-132) called a "spatial identity". The mode of territoriality of the indigenous communities – on which that of autochthony will develop later (de Lespinay, 1999: 40-42; Geschiere & Nyamnjoh, 2000: 423-434; Oyono *et al.*, 2000: 10-16) – rested accordingly on a given number of overlapping dimensions.

First of all, territoriality included a stock of resources and a stock of ecosystems. It also meant a material space well defined and recognized by peoples of neighboring territories.<sup>(3)</sup> Thirdly, it was an economic space to be exploited through activities of subsistence such as agriculture, hunting, fishing, and gathering. In their respective analysis of customary law in pre-colonial Africa, Ruel (1969: 12-46), Iliffe (1995: 187-244) and Mamdani (1996: 117-130) stressed that territoriality had a legal and political idiom and significance, and was therefore governed by rules of property and of access. Fourthly, territoriality as an ethnic, clanic or lineage seat had a deep social dimension (van Binsbergen 1984). Lastly, as it was rooted in the forest ecosystem, which was linked with the way of life of forest communities, territoriality had a strong cultural and symbolic resonance, as noted by Fernandez (1982: 11-24), Dounias (1995: 28-29), and Oyono (2002: 337-348).

## THE CONSTRUCTION OF TERRITORIAL IDENTITIES

The peoples who live in the geographical space in question in this article belong to the macro human and cultural entity called the Bantu. They live there with the Pygmies, who are considered the first inhabitants of the Central African forest (Thorbecke, 1913: 3-8; Trilles, 1932: 5-34). Some ethnologists and linguists were first interested more systematically in the inhabitants of such a large forest (Schebesta, 1953: 63-88; Vansina, 1954: 889-910). The Bantu live in Central and Southern Africa regions: in the north-south direction, from the center of Cameroon to South Africa, and, in west-east direction, from the center of Cameroon to Uganda (Iliffe, 1995: 97-203). In Cameroon, two moments can be reconstituted in the narrative of the Bantu settlement in the forest.

## 1780-1850

It was around the end of the eighteenth century that the peoples living today in the Cameroon's coastal zone (the Batanga, the Bassa, the Duala and the ethnically inter-assimilated) arrived there, according to Ardener (1956: 6-27) and Mbembe (1996: 48-50). Alexandre (1965: 510-517), Laburthe-Tolra (1981: 51-126), and Bah (1985: 11-39) held that the other parts of Southern Cameroon were gradually occupied by a stream of ethnic groups coming from the north, around the Adamaoua Plateau, under the push of the Fulani Jihad led by Uthman Dan Fodio. This stream included mainly the Fang/Béti/Bulu and the Kwassio (with the Maka, the Djem, the Ngoumba, and the Mabéa). These ethnic groups made a discontinuous invasion of the forest, a "slow shift", according to Vansina (1990: 14-26). Vansina held that the expansion of these groups, moving from the Adamaoua Plateau to Southern Cameroon, have taken shape from the 15th century.

These peoples spread in today's Southern Cameroon. On the coast, at the mouth of large rivers, ethnic groups settled from the Ntem River in the south to the Cross River in the west, between Cameroon and Nigeria. This contingent included groups of specialized fishermen (Ardener, 1956: 6-27). The Bassa settled in the first forest corridor, the longitudinal band made up of the Nyong River in the south and the Wouri River in the north. The second corridor, the central corridor, was occupied by a multi-ethnic complex known as the Fang/Béti/Bulu. Almost simultaneously, the eastern side of this corridor was occupied by the Kwassio, between the Doumé River and the north of today's Republic of Congo. The Pygmies have lived in this space for thousands of years (Thorbecke, 1913: 3-8; Trilles, 1932: 5-34) and were moving in the vast amphitheater, along all these corridors, because of their seasonal mobility.

## 1850-1950

If at the beginning of this historical fresco, some ethnic territorial groups (the Batanga and the Duala in the coastal region, and the Bassa in the first forest corridor) had already found the final architecture of their respective territorial identities, it is not yet the case for the peoples of the center of the country, the

German *Hinterland*. During this time these identities were either still in a process of formation as the case was for the Kwassio and the Bulu for example or in a process of maturation. This difference was explained by Santoir (1992: 25-46) that the migrations among some ethnics groups, without being inevitably extensive, took place in a leapfrog process,<sup>(4)</sup> in a discontinuous way, sometimes by a few kilometers.

There was a minor delay in the formation of territorial identities among some ethnic territorial groups concerned with this article. But when Cameroon became a German protectorate in 1884, the formation of these territorial identities was over (Rudin, 1938: 3-14). By that time, each ethnic territorial group had already primary options for the exploitation of its natural environment and had already outlined what “new-evolutionism” and cultural ecology call “adaptive solutions” (Steward, 1979: 12-24). Moreover, the land and the forest of each ethnic territorial group – in other words its territory – were a natural inheritance as defined today by Douget & O’ Connor (2003: 233 & 242), a stock of collective cultural significances and an infrastructure of biophysical life.

## THE NARRATIVE OF THE COLONIAL IRRUPTION

The Berlin Conference in 1884, considered today as the framework and the founding event of the colonial enterprise, stated three cardinal principles. Louwers (1936: 5-13) and Iliffe (1995: 187-211), who documented them, noted that according to European powers a territory or a chain of countries were regarded as colonies under the following conditions: (i) the presence of a European occupant; (ii) the fight against slavery and the promotion of the well-being of the indigenous; and (iii) the implementation of economic development initiatives. As with all the regions having a maritime frontage, it was by the sea, specifically the seaside village of Douala, inhabited by the ethnic group Duala, that the Germans made irruption in Cameroon. On July 12, 1884 the German signed the German-Duala Treaty with some local kinglets and chiefs. By so doing, these indigenous gave up their sovereignty over their ethnic country, also mortgaging thereby their territorial identity. But in an underhanded way, and according to strategies and tactics of the colonial expansion in Africa, the Germans, through this Treaty, took the opportunity to invade all the forest corridors mentioned earlier.

Coquery-Vidrovitch (1982: 65-70) pointed out that for the European powers these land and forests were “*vacantes et sans maîtres* (vacant and without masters)”. Boone (2003: 33-34) talked of “usurpation.” Le Roy (1982a: 77) also noted that the objective of these colonial powers was to incorporate these lands and forests into the state property. All the ethnic territories and countries had to become thereby subordinate. This is why few years later, the written history and the colonial discourse and transcripts started to refer to a German-Cameroonian Treaty without any logical transition. The shift from German-Duala Treaty to German-Cameroonian Treaty were to be in the center of many mis-



understandings and controversies, as noted by Austen (1983: 10), Mveng (1984: 45), and Owona (1986: 196). Could the Duala kinglets and chiefs act in the name of the kinglets and chiefs of the *Hinterland*?<sup>(5)</sup> as raised by Mveng (1984: 45-46)? However, even if this Treaty has the greatest historical resonance, it was not only the Duala kinglets and chiefs who signed documents of this kind with the Germans. Owona (1986: 96-97) underlined the fact that nearly ninety-four other documents were signed afterwards between the Germans and various kinglets and chiefs of the *Hinterland*.

The German-Duala Treaty is generally regarded as a founding piece of jurisprudence as regards access to land and forests in Cameroon (Mveng, 1884: 45-50). It erased all the preexisting local idioms on land/forest property and access, by, for example, introducing a shift from a system of collective property of the local community to the system of individual property (Austen 1983: 4-10). From 1885 to 1905, the Germans launched and finished the penetration of the *Hinterland* (Dugast, 1949: 59; Mveng, 1984: 46; and von Morgen, 1980: 11-15). At the end of 1887 the first German columns reached the center of the country, pacified and occupied it. The ethnic countries of the south were reached in 1890, those of the east in 1897 and the west in 1898. The territories of the north were all occupied by 1900.

After the First World War, and the German defeat, the League of the Nations, without consulting the indigenous, entrusted the country to France and Great Britain in 1919 for a joint mandate.<sup>(6)</sup> If this historical and political decision had a particular significance for the European colonial powers, it changed nothing, in content or in form, regarding the issue of land and the ethnic countries of the local peoples occupied by the Germans under the name of Kamerun (Rudin, 1938: 5-10). Out of 750,000 km<sup>2</sup> that Kamerun counted before 1914, France inherited 425,000 km<sup>2</sup> (*Cameroun français*), whereas England received 53,000 km<sup>2</sup> (British Cameroon). The remainder was assigned to the territories of the *Afrique Equatoriale Française* (AEF), the Central Africa territories under French colonization.

During their presence in Cameroon, the Germans promulgated a series of edicts in 1893, 1900, 1913 on the sovereignty of the colonial Empire on land and forests, considered *herrenlos* (vacant). Various French land and forestry decrees (1920, 1925, 1926, 1935, 1946, etc.) and British freehold lands (1927, 1937 and 1948) did not deviate from this legal vision and the jurisdiction accruing therefrom (Muam Chi, 1999: 23-24; Bigombé Logo, 1996: 12-14). With the same logic, the French and the British reintroduced all the hegemonic idioms on land and forests developed by the Germans. In other words, the rights of the local peoples on land and forests were denied with insistence by the new colonial masters (Fisiy, 1996: 80-81; Diaw & Njomkap, 1998: 21-22; Muam Chi, 1999: 25). Mveng (1984: 96) reproduced the speech of the German emperor, Guillaume, concerning the creation of Kamerun:

We, Guillaume, by the grace of God German emperor, king of Prussia... order, for the territory of Kamerun, on the basis of Paragraphs 1 and 3, Article 2 of the Law concerning the legislation in the territories



of the German protectorate, in the name of the empire, what follows:  
 ...any land inside the territory of the protectorate of Kamerun is land  
 of the Crown. As being without master, his property falls.

As pointed out earlier, during their concomitant mandate from 1919 to 1960, France and Britain obviously renewed the state hegemony over land and forests in Cameroon. All their land and forest ordinances and decrees amplified the process of disqualification of customary property regimes and idioms on natural resource. They equally deepened the marginalisation of the local communities and of their logics in the arena of natural resource management. In the *Cameroon français*, land and forestry policy was a reproduction of key elements of the *Code Civil* introduced in French colonies since November 1830 (Le Roy 1982b: 85-86), and governing the issue of land and forest management. The promulgation of the Decree of July 21, 1926 (laying down the land registration regime in Cameroon) and Decree No. 55-581, 1926 (reorganizing land property) contextualized the *Code Civil* in Cameroon.

The policy fidelity of French and British systems of land and forest management towards that of the Germans was based on the reproduction of the following practices: (i) the systematization of expropriation of the customary land and ethnic territories, while some indigenous elites saw in the German defeat the end of the European domination over Cameroon and the recovery of their land; (ii) the introduction of the land registration regime; (iii) the multiplication of agro-industrial and capitalist plantations; and (iv) the amplification of commercial logging by European companies (Colchester 1994: 22-30). The political and strategic intention of France, for example, was to link the colonialization and exploitation of Cameroon to that of the AEF, including Gabon, the Oubangui-Chari (now Central African Republic), and Congo Brazzaville (Colchester 1994: 9-12).

Sometimes, as in the case of Common Law in British Cameroon, disparate elements of customary regulations on land were taken into account and syncretisms took place, with the recognition of greater user rights to the local communities. Such an approach was also applied in the *Cameroon français*, through the regime of stating customary rights in French colonies, seen in the Decree of October 8, 1925 and Decree of July 21, 1932 (laying down the statement of indigenous rights over land in Cameroon), and Decree of May 20, 1955. However, neither in British Cameroon nor, furthermore, in the *Cameroon français*, the idea of co-management of land was never evoked (Anyangwe, 1984: 38-40). On the whole, and in addition to the fact that this modern legal arsenal generated a "land and forestry authoritarianism," as noted by Bigombé Logo (1996: 15), it also transformed land into capital, because land was henceforth submitted to financial transactions (Colchester 1994: 33-35). The French Decree of 1932, instituting the registration regime inaugurated the acquisition of land by individuals (Europeans). According to Kouassigan (1978: 296), "Registered lands were removed from the control of customary rights, to be governed by the *Code Civil*". As a result of the procedure of registration, these lands were transformed into objects of property rights based on the European conception. In the

same way, Mveng (1984: 34-35) noted that in the part of Cameroon under their mandate, the British started selling land from 1927 to missionaries of reformed churches and to commercial companies.

#### FROM GARDEN OF EDEN TO ELDORADO, AND FROM A SIMPLE REPRODUCTIVE LOGIC TO AN ACCUMULATIVE LOGIC

The vast spaces of land and forest that Europeans found so-called vacant in Africa lent themselves easily to the utilitarian orientation and ideology of the Western state. Scott (1998: 11-20) and Hvalkof (2000: 83-110) stressed that in all the colonies the forest was no longer a simple natural habitat to be reproduced, a Garden of Eden, but an economic resource to manage efficiently, a source of financial accumulation and surplus, in other words an Eldorado. In this logic, territoriality and related natural resources became an economic panacea (Goldman, 1998: 9; Boone 2003: 141-151). From a teleological point of view, functions assigned to territoriality and to its goods by the indigenous communities and the colonial powers were obviously diametrically opposite.

Karsenty (1999: 147-150) analyzed, on the basis of the theory of the "*maîtrises foncières* (land control)", the configuration of the interactions between human societies and land in Africa, outside of Western law. According Karsenty (1999: 147-150), these interactions are rooted essentially in a reproductive logic applied to the vital space and to the fragmented character of social life, which is constantly renewed in a symbiosis with nature. Here, spaces are cut out in ethnic territories for objectives related to immediate production, community survival, and to vegetative and social reproduction. Cyclically the dense forest is transformed into farm crops, becomes fallow, then secondary forest, before returning to the botanical status of a forest (Santoir 1992: 34-37; Diaw, 2002: 5; Oyono *et al.*, 2003b).

Spaces already worked on and therefore under social control are submitted to the exclusive *maîtrises foncières* of the lineage group (Karsenty, 1999: 148). It is the case for farm crops, cocoa farms, and fallows (young and old), on the basis of the principle of "axis right" or "productive rights" (Diaw, 1997: 17), according to which the land belongs to those who have worked on it first. But nothing here is basically registered, as in Western law. Karsenty (1999: 149) and Diaw (2005: 50-52) noted that beyond these spaces, in the dense forest for example, the land is no longer submitted to any individual control, and consequently, do not belong to somebody until it is worked on for agricultural purposes.

The colonial state developed a contrary logic and plunged into the principle of land and forest management (Karsenty, 1999: 147-148). That is, land and forest were assigned to utilitarianist uses and were specialized (Diaw & Oyono, 1998: 38-39; Karsenty, 1999: 147-148), mirroring the model of labor division in the human society. Accordingly, indigenous agricultural land, capitalist and colonial farmland, forest and mining concessions, all specialized segments of

land and forest, became differentiated forever. In this selective approach to territoriality, the basic logic is one of profit optimization, accumulation, surplus extraction and the formation of financial capital. Colonial powers have replaced the Garden of Eden assigned by the local peoples for the exploitation of resources with an Eldorado.

The colonial documents acknowledge for that reason the richness of Cameroon, be they German (Schanz, 1914: 28-30)<sup>(7)</sup> or French (Cros, 1928: 27-34). Schée (Mveng, 1984: 74), referred to *Unsere Kolonie* (our colonies), and said that for commercial and economicist reasons Germany occupied the ethnic countries of Cameroon. In that sense, Cameroon was both an economic space, to exploit according to market logics, and a political space to be administered and civilized. Mbembe (1996: 55) described this economicist representation of territoriality at the beginning and all along the colonial enterprise as follows:

This same strategic vision was applied to the representation that the German colonial state had about the territory itself. On the debris of the former political and economic geography, it endeavored to reorganize the space, with the aim of making economically profitable the resources that this one was supposed to accommodate. The internal glance that the German colonial state had at Cameroon was thus geo-economic glance before all. The territory was to be structured in networks taking support on the resources of "countries". One of the ultimate objectives was to transform this protectorate into a large garden, a series of plantations.

In a synthesis by Mveng (1984: 80-82), it emerged that in 1890 the Germans launched the agricultural exploitation of land in Cameroon through the West Kamerun Gesellschaft which had a concession of 5 million hectares. This company was followed by Süd Kamerun Gesellschaft one year later. Other companies were created around 1895 (the Victoria Company and the Bibundi Company). The coastal forests, the slopes of Mount Cameroon, the Mungo region, the south-east, and the Kribi region were occupied and cleared for this reason. Ethnic countries, considered *Herrenlos Land* (vacant land), were therefore covered with large industrial plantations of banana, palm oil, rubber, tobacco, cocoa, and coffee (Rudin, 1938: 10-14). Logging and mining activities also flourished. Hédin (1930: 38) reported that in year 1913 alone, under the Germans, the export of timber was estimated at 942,000 Deutsch marks, with a total volume of 22,847 tons. In the year 1928, under the French, the export of timber was estimated at 19,736 French francs, for 49,952 tons.

After the Germans, the British set up the Cameroon Development Corporation (CDC) in the Mount Cameroon region. In the *Territoire du Cameroun* (French Cameroon), priority was given to timber exploitation and transformation. In the

Table 1. Export of timber from 1910 to 1913 and from 1925 to 1928 (Hédin, 1930: 38).

Colonial power	Year	Volume (tons)
Germany	1910	1,632
	1911	7,204
	1912	11,289
	1913	22,847
France	1924	37,852
	1926	39,689
	1927	48,327
	1928	49,952

two parts of Cameroon, expropriation operations were generalized and land was more and more privatized from 1930-1935. Mveng (1984: 86) reported that during the French and British colonial presence the Cameroonians found that the German presence generated relevant socio-economic outcomes for the development of the country, despite its short duration, in contrast to the French and British actions, more capitalist oriented. Even nowadays, there is a whiff of nostalgia amongst Cameroonians. The table above shows the evolution of the export of timber in Cameroon during the German colonization and during the first years of the French mandate.

During this time of the consolidation of the accumulating functions behind the exploitation of natural goods, the local communities saw their land confiscated and had nothing. The importance given to timber exploitation by the Europeans, the exuberance of the financial capital generated by agro-industries as well as by timber companies, the formation of a consciousness of poverty and the formation of an imaginary of environmental justice (distributive justice) among the local communities became the basis of the *conflit de langage* described in this paper.

## POST-COLONIAL REPRODUCTION OF EXCLUSION AND OF THE LOGIC OF ECONOMIC PANACEA

The post-colonial state inherited a jurisdiction which pitilessly excluded the local communities from land and forest property. The young state on this issue reproduced what was applied under the Germans, under the French and the British.<sup>(8)</sup> Once more, all the rights of the local communities over land and forests were just recognized as “user rights” and not as property rights by the legislative engineering and the subsequent devices in post-independence Cameroon. In the same way, the significances attributed to the principle of land registration were renewed and reinforced. To map the duplicating character of regulations relating to land and forest in post-independence Cameroon, it is appropriate to pay attention here to the Land Tenure and State Lands Legislation of 1974 and to the Forestry Legislations (1973, 1981 and 1994).

## I. Land Tenure Legislation in Post-Independence Cameroon

Land Tenure and State Lands Legislation, in its Ordinance n°74-1 of July 6, 1974 (RoC, 1974: 4), states that : “The State shall be the guardian of all lands. It may, in this capacity, intervene to ensure the rational uses of lands in the imperative defense of the interest and the economic policies of the nation.” Four other cardinal points of this Legislation are worthy of attention. The first, contained in the Ordinance n°74-2 of July 6, 1974 (RoC, 1974: 19 Art. 3), defines the national lands, which comprise coastlands, waterways, sub-soil, and air space. The second relates to the private lands property of the state, more inalienable than national lands (RoC, 1994: 24 Art. 10). The third and the fourth points, the issues of expropriation for public purpose and of compensations, are very significant because they govern a series of operations (installation of industrial plantations, creation of roads, implementation of various public projects, etc.). These two points are defined and developed in the Ordinance n°74-3 of July 6, 1974.

Expropriation for public purpose shall be pronounced by decree on completion of the procedure defined by the present Ordinance. By the said decree, existing titles over the lands thus declared free shall be extinguished and the lands thus declared free shall be registered under the name of the state.

RoC (1974: 21, Article 1)

...Expropriation shall confer the right to monetary compensation under the conditions defined.... Compensation for expropriation shall be related to direct, immediate and some material damage caused by the eviction.... Subject to the provisions of Article 13(2) of the Ordinance to establish rules governing land tenure, compensation for expropriation shall included/understood the following: the been worth of the crops destroyed...the been worth of the buildings and other installations...; the value of undeveloped lands...

RoC (1974: 22-23, Articles 7, 8 and 9)

The application of these provisions is really guaranteed only in the case of property and of presentation of a land title, one of the tools of the privatization of the land in the Western land jurisdictions. Nevertheless, in Cameroon the exercise of the land title is limited to the level of inhabited spaces, and do not cover other spaces, traditional lands and forests for example. The most significant cases of expropriation in post-independence Cameroon are globally related to customary lands/forests, that are lands without titles, in the logic of the modern legislations. According to the local communities, the land title equals the historical territoriality they claim; for the state, this title is a written and legal document.

## II. Forestry Legislations

Since 1960, the year of its independence, Cameroon has promulgated three fundamental texts on forests: (i) the Ordinance n°73/18 of May 22, 1973 and its instruments of application; (ii) the Law n°81/13 of November 27, 1981; and (iii) the Law n°94/01 of January 20, 1994 and its Decree of Application n° 94/436 of August 23, 1995. The Forestry Ordinance and Legislation of 1973 and 1981 have reaffirmed, on the basis of colonial heritage and of policy fidelity, the official options of forest authoritarianism and of the marginalisation of the local communities. In that sense, Olinga (2001: 8-14) wrote that the options of forest management in post-independence Cameroon have always been, since the colonial time, articulated around two central elements released by the Law of January 12, 1938 on lands. These elements are: (i) the belonging of all the lands to the state, because they are “vacant and without masters”; and (ii) the recognition of only “user rights” to the local communities.

This leads not only to the renewal of all the forest reserves and all the protected areas created by the French and British colonial authority, but also to the demarcation of new ones. The principle of permanent forests, which gave 80% of emerged lands to the state, transformed this fidelity into an administrative and operational requirement. Because it has maintained the colonial engineering on land and forests, post-independence Cameroon has therefore rehabilitated the institutional centralism and has reinforced the repressive mechanisms in forest conservation. For example, to carry out any activity of timber exploitation, the local communities must obtain a license delivered by the administration of forests, to be controlled by forestry agents, whose conditions for wearing uniforms, badges of ranks, and weapons are fixed by the Decree n°86/230 of March 13, 1986.

Contrary to former provisions, the Forestry Law of 1994 is a significant institutional innovation. For the first time, management responsibilities were transferred to the local/indigenous communities. Community forests constitute one of the most representative mechanisms of this process of the devolution of powers and responsibilities (Nguinguiri, 1997: 4-6; Erdmann, 2003: 10; Vabi *et al.*, 2000: 2-6; Oyono 2004a: 97-100).<sup>(9)</sup> Legally, a community forest is a forest delimited in a village territory which is part of the national domain. Its surface area should not exceed 5,000 hectares. Community forests are managed by the local communities concerned on the basis of a simple management plan and of a management convention signed with the Ministry of Environment and Forests. The Ministry of Environment and Forests has prescribed that community forests should be exploited through small-scale logging. The financial benefits of the sale of planks extracted from a community forest goes directly to the village concerned. Currently, nearly eighty community forests are exploited in the country.

The second mechanism of this process aiming at transferring management responsibilities relates to the allocation of forestry fees to the local communities.<sup>(10)</sup> These fees are part of the decentralized forestry taxation system (Milol

& Pierre, 2000: 4-16; Carret 2000: 17-18; Fomété 2001: 3-8; Bigombé 2003: 10-15). Forestry fees represent an amount of money paid by timber companies to rural councils and to the local communities in the form of direct or indirect transfers. There are two tools of forestry taxation system: (i) annual forestry fees given to rural councils accommodating forest concessions under exploitation and to the local communities<sup>(11)</sup> through their rural councils financial services; and (ii) a tax of 1,000 francs CFA (US\$ 1.50) per cubic meter of timber exploited in a *vente de coupe* (sale on standing volume) allocated directly to the local communities claiming customary rights over this portion of forest. A *vente de coupe* is a particular type of forest unit which a surface area not exceeding 2,500 hectares. This tax is in fact an “ecotax” or a sort of royalty (Carret, 2000: 45-48).

Two other mechanisms, not generated by the Forestry Law of 1994 as such, but by subsequent disposals, are part of the whole process of forest management decentralization. First is the recognition of a pre-emption right to the local communities. A pre-emption right is a legal reference which makes it possible for the local communities to request for *ventes de coupe* in their territories to the Ministry of Environment and Forests and to transform them into community forests to be exploited later (MINEF, 2001). The pre-emption right is thus represented by the transfer of exploitation rights to the local communities. The ultimate goal of this innovation is to encourage the latter to create community forests (CED, 2002: 3). Second is the power for the local communities to set up community hunting zones. According to Ontcha Mpele *et al.* (2005: 3), fifteen community hunting zones are currently exploited in the South-East of Cameroon, where the experiment was launched five years ago. Though it has not dissipated the *conflit de langage*, the Forestry Law of 1994 is nevertheless qualified as the founding framework of the devolution of responsibilities and the decentralization of forest management in Cameroon.

## ILLUSTRATIONS OF THE WEIGHT OF THE *CONFLIT DE LANGAGE*

### I. First Actions in the Rejection of the Colonial Mode of Territoriality Management

In previous sections, I have explained the nature of territorial identities amongst the local communities in Southern Cameroon as well and their meanings. Without the force and the brutality of the colonial project, the local peoples would have never accepted the occupation and the expropriation of their land and their ethnic countries, as pointed out by Rudin (1938: 5-10) and Mveng (1984: 95-100). The first indigenous action of most historical significance in the *conflit de langage* generated by this occupation and expropriation was developed by two elites educated by the Germans, in Germany.

A lawyer, Rudolph Douala Manga from 1912 to 1913 constantly protested the amplification of draconian procedures used to expropriate the land of his eth-



nic group, the Duala (Mveng, 1984: 99). Micro-revolts exploded here and there among his ethnic group. In order to put an end to these impulses, the Germans, with treason as a pretext, hung Rudolf Douala Manga at Douala on August 8, 1914. The same day at Ebolowa, in the *Hinterland*, the Germans shot another local elite, Martin Paul Samba, a former lieutenant of the imperial army. It was from 1892 that the Germans occupied all the territory of the Bulu, in the south of Cameroon. Martin Paul Samba, a native of the area, had studied in the imperial military academy in Germany. Returning to Cameroon, he contested the methods of the German presence in the land of the Bulu and the treatment of the local peoples, and therefore resigned from the colonial army. Just as Douala Manga, Samba is recognized as one of the strongest symbols of what Diaw & Njomkap (1998: 19-20) called "*nationalisme foncier* (land nationalism)." Many other elites or chiefs were killed for such reasons in Cameroon. In addition, all the interrelated nationalist claims for independence in the fifties were rooted in the issue of 'liberation' and of the recovery of land property (Mbembe 1996: 10-89).

## II. The Protests against the Legal Symbolism of Protected Areas and of State Forests

Depending on the contexts, the state, before and after the independence, created much space classified as private property, in other words the forests of the national domain (RoC, 1994). In the current Forestry Policy (RoC, 1995), it is said that the objective of the state is to classify 30% of the emerged lands in the national domain as protected areas. For the moment, the country counts eleven national parks, twenty faunal reserves, one biosphere reserve, fifty-three forest reserves, a botanical garden, and ten protection forests. The total surface occupied by this private property of the state is approximately 7,027,000 hectares. The classification of these spaces generally did not take into account the ecological and symbolic history of the binomial men/forest in Central Africa, and in Southern Cameroon in particular. In some cases, families were excluded from their territories and many villages were dislocated. In other cases, more frequently, the local peoples remained in their vital space in and around these various state forests and protected areas, but with a disqualification of their rights.

As underlined many times in the previous sections, Germany, France and Britain systematically alienated the [historical] rights of the indigenous communities with legal devices over land and forests. In many cases, prohibitory measurements have been taken for village activities such as hunting and agriculture. The *conflit de langage* in question here is more and more nourished by restrictions concerning agricultural and hunting activities. Everywhere, the local communities complain as a traumatic fact about the overbearing control activities and repressive measures by the agents of the Ministry of Forests and Environment over access to resources of which they think they are, after all, the owners.

Multiple examples would not be enough to clarify the *conflit de langage* over

protected areas in Cameroon. Two or three empirical generalities could nevertheless be helpful. In 1993, the Government of Cameroon, with the support of the Government of Canada, developed the Zoning Plan of the forest. This Zoning Plan was in fact a land use plan. It is characterized by the predominance of timber concessions. Nguiffo (2000: 2) talked of “*plan d'exclusion* (excluding plan)” transforming many primary forests into forest concessions to be attributed to timber companies. This management approach is an additional stage in the marginalisation of the indigenous communities. The latter, quite naturally, continue to claim that these forests belong to them.

Concerning the second generality, on the whole four types of approaches of human issues are put into practice by protected areas policies in the Central Africa region (Schmidt-Soltau, 2003: 528-530): (i) the status quo; (ii) involuntary resettlement<sup>(12)</sup>; (iii) the expropriation of the traditional land; and (iv) expulsion. Situated in the west of the country, not far from the border with Nigeria, Korup National Park was officially created in 1981. It has always been the heart of its inhabitants. Agents from the Ministry of Forests and international conservation organizations working there are regularly and verbally the target of the local communities. By local logic these organizations represent the state and the White men, who snatched their land and forests (Mbile, 1999: 3-6; Mbile *et al.*, 2005: 6-9). Currently, an initiative aiming at relocating the populations of five villages from the Park is being implemented (Diaw *et al.*, 2003: 5-11), under protests and claims for compensations.

Like the peoples of the Korup National Park, those of the Campo National Park, created in 2000 in the south, on the institutional ruins of a faunal reserve, also develop a chain of objections against the state (Tiani *et al.*, 2002: 20-36), including: dispossession of the ancestral land; reduction in the agricultural space; restrictive access to forest products (Tiani *et al.*, 2005: 140-144), etc. Nourished by such objections, conflicts burst here and there around protected areas between the local communities and the guards, and between the said communities and the army. Very often, the local communities invaded forest reserves (Jum *et al.*, 2001: 4-5; Jum & Oyono, 2005: 39-40), or burned them, to express their dissatisfaction *vis-à-vis* the lack of arable lands. To understand this kind of eruptions, and the real resonance of the *conflit de langage* in local mental representations, there is this remark of a local elite from a village in a state forest, the Ottotomo Forest Reserve, in the center of Cameroon:

“Ladies and gentlemen! Our ancestors have occupied this forest as far as back in the 19th century. In 1930, the colonial French administration occupied the whole area on a unilateral decision, and, to delineate a Forest Reserve, sent most of the people out without any compensation. From 1930 to 2002 is 72 years that this vague situation exists. This is deeply irritating the communities. Isn't it said that the land belongs to the first occupants? If this is recognized, what has been done so far? No land, no financial compensation, no road, no school... We want to tell you, in two words or in thousand, that the deep opposition between your laws and customary regulations does require dialogue.”

(In French, a statement by Flax Zibi Mbia, a notable of the Nkolbibanda Village in the Forest Reserve of Ottotomo, 14 April 2003, at the occasion of the visit of the Director General of CIFOR, accompanied by regional state representatives)

These waves of protest, informal, planned or systematized are cyclic and constitute the segment of a *langage*, a rhetoric of contestation, which challenges the principle of the appropriation of customary lands by the state and by the White men. For the local communities, as shown by this elite, state rights over customary land forest could be an illustration of Pierre-Joseph Proudhon's phrase "Property is theft" (Proudhon, 2003). But the geography of the *conflit de langage* in this paper is not only limited to the forests of the national domain. This geography covers also issues such as oil, forest concessions and benefits generated by commercial logging.

### III. The Question of Compensation for the Chad-Cameroon Pipeline

Since October 2003, Chad, a neighboring country without a maritime frontage, is exploiting its oil. Accordingly, it was necessary to install a pipeline from Doba, in the south of Chad, to Kribi, in the south of Cameroon. In the Cameroonian territory, the length of the pipeline is 890 kilometers. It crosses twenty-seven districts and 238 villages, destroying dense and secondary forests, fallows, crops, cocoa and coffee farms, sites with high ecological value, graves, houses and old villages. Anticipating these damages, the Cameroon Oil Transportation Company (COTCO), a joint initiative of the Government of Cameroon and the World Bank, set up a Compensation Plan taking into account, among others, the local communities. For the Cameroonian Government and COTCO, this Project was a platform of investment, of a revival of employment, and of the improvement of the living conditions at the rural level. It was also noted that the pipeline would support both the economic growth and sustainable development of Cameroon (CED, 2001: 3).

Four types of compensation were defined: (i) individual compensation, at the scale of nuclear families or at the level of individuals; (ii) community compensation, at the scale of villages, groups of villages or districts; (iii) regional compensation, at the scale of a group of districts; and (iv) compensation for the vulnerable peoples; that is, the Pygmies.<sup>(13)</sup>

On the whole, the local peoples were not adequately informed about the cardinal rules of the compensation (CED, 2001: 5-8; Nguiffo & Breitkoft, 2001: 8-1). This situation generated many types of abuses from Project agents and local and regional administrative authorities, according to Ndongo (2002: 5). In addition, it emerged from various evaluations of this process of compensation that the local communities have not been standardized in the accounting and the financial estimate of the damage and losses (Agir ici-Survie, 1999: 34-35; Dkamela, 2002: 24-26; Minlo, 2002: 13). Having worked in the area of Ngoumou, in the center of the country, Batendé (2002: 12) reported that:

For the populations of this zone, the compensations were made arbitrarily under any basis and especially with the aim of misleading them. Sometimes, after being compensated for a precise part of their lands, they realized after some time that another part of the land had been destroyed without their knowledge, and especially had not been subject to any compensation. Many requests were submitted to the agents of COTCO. They remained without any response.

Afterwards, the installation of the pipeline raised a feeling of general reprobation in the areas of the layout, according to Taakam (1999: 11) and Ndongo (2002: 5). The indigenous communities acknowledge that they have been marginally informed about the Project. This gap therefore ramified in multiple spheres of conflict between the Government of Cameroon and COTCO and the indigenous communities (Nguiffo & Breitkoft, 2001: 6-13). With the rejection, *a posteriori*, of the administrative arsenal relating to the procedures in force, a *conflit de langage* evolved around the usurpation of property, destruction of goods and infrastructures, and the scale of payment of compensation (Tachi, 2000: 5; Dkamela, 2002: 10-12; Batendé, 2002: 13-16). Actually, although having exerted a strong attraction on the populations concerned, in a context of deep rural poverty, the compensation did not, in the last analysis, replace occupied land and the stocks of resources destroyed. In other words, according to the indigenous communities, the financial capital did not replace the natural capital. Consequently, they say that they have been deceived, and they ask for justice (Tachi, 2001: 5; Oyono 2005b: 45-56).

#### IV. Protests about Forests under Commercial Exploitation and Claims for Related Benefits

Cameroon is said to accommodate the second largest rainforest in Africa, after the Democratic Republic of Congo. These forests are exploited with the authorization of the state, which is the legal owner since the colonial period. As for other natural resources, Cameroonian timber generates consistent income for the state and huge financial benefits for the timber companies. Thus, for year 2002/2003, Cameroonian forests generated approximately US\$ 345,000,000 as global income including US\$ 84,000,000 of taxes revenues for the state (Ndjana Modo, 2003: 4-5).

In addition to the fact that the state has taken their customary land, the local communities really do not have significant access to this forestry “manna” entirely controlled by the state and the European timber companies. According to Atangana (1999: 7), 50% of timber exports are realized by the French companies.<sup>(14)</sup> Moreover, the US\$ 14,000,000 of annual wages paid by the sector benefited only foreign employees. I noted previously that the Forestry Legislation of 1994 instituted the principle of forestry fees to be allocated, among other actors, to the local communities. After calculations carried out on the basis of volume of timber extracted by a timber company in a given conces-

sion, the annual forestry fees are distributed as follows: 50% to the state; 40% to the rural council in which the exploited concession is located; and 10% to the bordering village communities through the rural council. In practice, the 10% reserved for the local communities do not reach them (Bigombé Logo, 2003: 23-30; Oyono, 2003a: 28-32; Oyono, 2004a: 103-104), because of diversion or bad management by mayors and administrative authorities (Nzoyem *et al.*, 2004: 27-54).

Conflicts related to the rejection of timber exploitation on customary lands and conflicts based on claims of access to the financial revenue accruing therefrom have much historical depth in Cameroon from the colonial time to after independence. But it is during the 1990s that the indigenous communities' complaints about access to revenue from timber exploitation acquired much weight. Because of the liberalization of public life and the introduction of political pluralism in 1990, leaders of opinion in rural areas openly raised the question of the presence of timber companies on their customary lands (Oyono 2005a: 116-120), and claimed a fair share for indigenous communities.

Nguiffo (1995: 2-3), Mimbimi Essono (1996: 2-6), Mimbimi Essono (2004: 165-174), Bigombé Logo & Nkoum-Me-Ntseny (1997: 4-10), and Karsenty (1999: 151-153) have inventoried conflicts related to the proliferation of forest concessions in the East and South provinces since the beginning of the 1990s. According to these authors, the conflicts oppose mainly timber companies, very often supported by the state, and local communities, who ask for a greater portion of money resulting from the trade of timber from their forests. The *conflit de langage* thus developed sometimes degenerated into acts of violence in forestry camps, as in Meyo-Centre in 1996 and in Mindourou in 1999, when logging trucks were barricaded and workers and their patrons kept under lock by villagers, as noted by Mimbimi Essono (1996: 2-6) and Oyono (2005a: 119).

In addition, the local communities claim more equity and more social justice from the state and rural councils managing forestry fees. The taxation system indicates that the portion of fees intended for the local communities must be transferred through rural councils. But as shown by Milol & Pierre (2000: 3-7), Bigombé Logo (2003: 25-33) and Ambara (2003: 7-8), the funds allocated to the local communities are misappropriated at the council level by municipal and administrative authorities. Despite many complaints emanating from villages (Kouna, 2001: 4-6; Nzoyem *et al.*, 2004: 27-54), this problem remains unsolved.

## V. Customary Land and Agro-Industries: a Secular and Deep Bone of Contention

It was under the Germans that the first lands were taken from the natives for agricultural development purposes. This logic of expropriation worsened under the British and the French, with the aim of generating and recycling a permanent financial capital to Europe. The post-independence state made this agro-industrial option one of its priorities in the development "by the top" (Courade, 1984: 75-78). Large plantations and industrial complexes have thus been installed in Southern Cameroon during the colonial and the post-colonial peri-

ods. It is the case of Cameroon Development Corporation (CDC), the Société des Palmeraies du Cameroun (SOCAPALM), the Hévéa du Cameroun (HEVECAM), the Organisation Camerounaise de la Banane (OCB), the Cameroon Sugar Company (CAMSUCO), the Compagnie des Sucreries du Cameroun (SOSUCAM), etc.

Two agro-industries could illustrate this propensity and its effects on the question of land and forest, as posed by the indigenous communities. Created in 1947, The CDC is established in the south of the former British Cameroon. Having recovered German private plantations (Bederman, 1968: 3-7), the CDC engaged in a vast campaign of expropriation from the local communities (Bakweri, Bafaw and, later, Bamiléké), see Konings (1986: 122-124). In 1984, the CDC covered 40,000 hectares for tea, oil palm and rubber, from the area of Mount Cameroon to the concession of Djuttitsa in Dschang (Courade, 1984: 84). The CDC is presently in a process of privatization.

HEVECAM was established in the Kribi region in 1975 as a state company. Its mandate consisted of an agro-industrial concession of 30,000 hectares for rubber. Even if established on land which one can consider "free" HEVECAM, at the time of its establishment, occupied land of the Bulu indigenous communities in a series of villages including Bidou III, Nko'olong, Afan-Oveng, Akom I, Adzap, Zingui, and Bifa. Since 1975, the elite of these villages have claimed for compensation through letters sent to the Prime Minister's Office in Yaoundé, the national capital, have never received a significant response, and have given up the struggle. Sometimes, the younger generations threaten to burn portions of rubber plantations, in reaction to the expropriation of the community land. In the same area, a violent material conflict arising from the *conflit de langage* pitted young men of Bidou III against SOCAPALM guards for two days in 2002. These young men wanted to burn neighbouring pieces of oil palm plantations. Many people were wounded, and the army defended SOCAPALM workers by arresting some villagers as terrorists.

The presence of the CDC on the land it covers has always been contested by the indigenous communities of these areas. The most known organised movement of public protest is that by the Bakweri, at the bottom of Mount-Cameroon. After about fifty years of more or less abstract claims, the Bakweri, motivated by the process of the privatization of the CDC, have set up a committee to claim significant compensation, the Bakweri Land Claim Committee (BLCC). Due to the fact that the state neglects their claims (Ekwe, 2003: 4), the BLCC has decided to take the problem to the African Commission of Human and Peoples Rights. Indigenous communities whose land was occupied by HEVECAM did not take the problem to any commission. However, they have not ceased claiming for compensation (Oyono, 2002: 345-346).



## CONCLUSION

Whether it is the best approach, the narrative approach on the *conflit de langage* on land and forests in Southern Cameroon brought out some illustrations. This paper article shows that in Cameroon, like everywhere, the issues of land and forests becomes crucial when placed under jurisdiction, with the shock between indigenous idioms and modern transcripts. In addition, this question lies at the intersection of the national state interests, multinational interests and the Western states' interests (Le Roy 1982a: 88; Rice & Counsell, 1993: 69-71; Agir ici-Survie, 1999: 41-43; Nguiffo & Breitkoff, 2001: 6-14; Oyono 2004b: 111-120). This is underlined by the strong implication of the financial capital of these external actors in the timber trade (see Buttoud, 1991: 179-182; Atangana, 1999: 7; Ndongo, 2003: 5), in oil exploitation (CED, 2001: 4) and in agro-industrial complexes (Konings, 1986: 121-134).

It also emerges from this paper that as regards the question of land and forest, the customary law was not deliberately taken into account by the triumphant colonizer. This is explained mainly by the fact that the customary law is not a written corpus, and as such found itself dominated by the conquerors. But although having been historically and politically traumatised, local traditions and logics as regards access to land and forest have not disappeared. When Alliot (2003: 169-170) talked of "traditional resistances to modern law", or Scott (1990: 39-42) of "the arts of resistance" or "the infrapolitics of subordinate groups", they pointed to the resilience of the customary regulations, their capacity to resist, the forms of struggles developed at the grass roots level for basic rights. Due to the fact that the expropriation of their land, forest and landscapes – and excluded from access to financial benefits – the local communities are, among others, claiming for economic justice, in the sense of Hahnel (2005: 131-136); that is, compensation for their 'cooperation' on the basis of the following principle: "to each according to sacrifice."

Since the legislators and policy makers could not continue to ignore traditional law in the issue of access to lands and forests, there is a recognition, be it marginal. In Cameroon, the process of forest management decentralization, through initiatives like the delimitation of the community or village forests and the more formal allocation of forestry fees to the indigenous communities, is implicitly part of this recognition process. The same process occurs through paradigms like joint management, participatory management or co-management of protected areas, which require that local communities become central actors for the management of these areas. These efforts could contribute to the reduction of the *conflit de langage*, but a process of negotiation leading to forms of co-ownership, or of co-operative management, in which the state and the local communities share equal responsibilities and advantages, would be more suitable. In fact, in the politics of access to natural resource and to benefits accruing therefrom, the local communities do not have a specific agenda. Neither do they want to take the place of the state or to disqualify it. What the local communities want is to see their basic rights recognized and to have a voice in the



arena of access to financial benefits accruing from the commercial exploitation of natural resources, in a globalized world. This could be done through policy innovations aiming at overcoming basic contradictions of both the colonial and the post-colonial options of land and forest management.

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#### NOTES

- (1) Bruner (1986: 12-20), to facilitate the conceptual understanding of this approach, said that the life is a narrative. Spierenburg (2003: 2-8) used this approach in the history of land in Zimbabwe.
- (2) These strategies of installation were precarious. For varied reasons, the geographical mobility of the peoples of Southern Cameroon did not stop before the first half of the twentieth century (Dugast, 1949: 12-15 ; Mveng, 1984: 16-17).
- (3) Before the Germans, migration movements were about to end and one could already find a "country" for each ethnic group.
- (4) Some migrations were even circular, with some lineage groups starting from a point A, settling for sometime at a point B and returning to point A later.
- (5) Mveng (1984: 44-46) wrote that the first version of the Treaty noted that the Duala would preserve their sovereignty on their land. In that sense, the Treaty have would have had only a commercial value (Rudin, 1938: 5-10). Other versions, unfortunately mentioned "loss of sovereignty on all the lands" (Mveng, 1984: 45).
- (6) During this meeting, Germany gave up all its colonies in favour of the winners with all its rights and titles.
- (7) Schanz stressed that "Kamerun is the richest among our colonies: it has approximately 15-20 millions hectares of forests."
- (8) Fisiy (1996: 84-88) and Diaw & Njomkap (1998: 19) estimated that the land legislations of post-colonial Cameroon were even sometimes more marginalizing with regard to the local peoples than the colonial laws. After independence, the preeminence of the state over emerged lands was legally more affirmed, and emerged as the active principle of the primacy of the state on the natural resources.
- (9) Cameroonian policy engineering as regards community forestry is recognized as being the most advanced in Central Africa (Nguinguiri, 1997: 4-6; Erdmann, 2003: 10).
- (10) Forestry fees are one of the key elements of the reform of the forestry taxation, and the decentralized taxation (Carret, 2000: 44-45; Milol & Pierre, 2000: 4-8). It is often presented by the official rhetoric as an indicator of the participation of the local peoples to forest management. I point out that it is more about the search for a minimum of equity

- in the access to benefits generated by timber exploitation (Oyono *et al.*, 2003a: 9-12).
- (11) Article 68 of the Forestry Law n°94/01 of January 20, 1994 states (RoC 1994: 23): "For the well-being of development of the bordering village communities of certain forests of the national field put in exploitation, part of the incomes drawn from the sale from the forest products must be transferred with the profit of the aforesaid communities according to methods laid down by the Decree of Application."
  - (12) According to Schmidt-Soltau (2003: 529) and Fisher (2002: 144), an "involuntary" resettlement is an organized operation in which people receive assistance through the national government and/or the manager of the protected area. An "expulsion" is a displacement without assistance.
  - (13) The layout of the pipeline passes by the corridor Lolodorf-Bipindi-Kribi, an area inhabited by the Bagyiéli Pygmies, hunters-gatherers of the Cameroon forest. Biesbrouck & Dkamela (1998: 14-18) and Nelson *et al.* (2001: 10-15) noted the following. Firstly, these vulnerable human groups are insufficiently taken into account by the strategy of compensation, as it is already the case with forestry policies (Winterbottom, 1992: 23-30 or Oyono, 2004a: 117-126). Secondly, the disasters caused by the Project on the forest ecosystem (Agir ici-Survie, 1999: 44-45 & 48), which is the essential source of life for the Pygmies, will have durable negative effects on their environment and on their balance.
  - (14) These include the Group Thanry, the Group La Forestière de Campo, the Group Rougier, the Société Forestière Industrielle de la Doumé, Mining Cottage, Pallisco, and Defombelle.

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